

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Sompheth PHOUUMMANY AKA Sompeth
PHOUUMMANY AKA Jake
PHOUUMMANY

No. 3:22-mj-00023-KFR

Defendant.

AFFIDAVIT

I, Thomas J. King, having been first duly sworn, do hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a criminal complaint and arrest warrant pursuant to Federal Rules of Criminal Procedure 3 and 4. As explained more fully below, I have probable cause to believe that SOMPHETH PHOUUMMANY, AKA Sompeth PHOUUMMANY AKA Jake PHOUUMMANY has committed the following federal criminal offense:

On or about November 9, 2021, within the District of Alaska, Sompheth PHOUUMMANY knowingly and intentionally distributed controlled substances, to wit: methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A)

2. I am a graduate of Buffalo State College, where I obtained a Bachelor of Science in criminal justice. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice, and have been so employed since February 14,

2001. Prior to that I was a Special Agent with the Immigration and Naturalization Service for five years, and an Inspector with the United States Customs Service for three years.

3. I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy; as a result of my training and experience as an ATF Special Agent, I am familiar with the Federal Firearms laws. Through my experience I have also investigated numerous cases involving 18 U.S.C. § 922(g)(1) (Felon in Possession of a Firearm), 18 U.S.C. § 924(c) (Use of a Firearm in Furtherance of a Violent Crime or a Crime Involving Drug Trafficking) and 21 U.S.C. § 841 et seq (violations of the Controlled Substance Act).

4. The statements in this affidavit are based in part on information provided to me by other law enforcement officers, police reports, my own investigation of this matter, and my training and experience. Since this affidavit is being submitted for the limited purpose of establishing probable cause to support a complaint and securing an arrest warrant, I have not included each and every fact known to me concerning this investigation.

FACTS ESTABLISHING PROBABLE CAUSE

5. In October of 2021, I initiated an investigation on Sompheth PHOUUMMANY, AKA Sompheth PHOUUMMANY AKA "Jake", AKA "Lao Jake". I was able to meet PHOUUMMANY during undercover interaction, and confirmed his identity. I was also able to confirm where his residence was, and where he worked.

6. On November 6, 2021, while acting in an undercover capacity, I began texting with PHOUUMMANY to arrange the purchase of one pound of methamphetamine. On

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November 8, 2021, I eventually talked with PHOUUMMANY on the phone (recorded) and PHOUUMMANY confirmed he had a pound of methamphetamine available, and the price would be \$5000. PHOUUMMANY and I agreed to meet the following day when PHOUUMMANY got out of work.

7. On November 9, 2021, ATF Agents initiated surveillance at Alaska Watertech, and confirmed PHOUUMMANY was there. When PHOUUMMANY left work he stopped at a daycare to pick up a child, then drove to his residence. I arrived at an agreed upon location, and called PHOUUMMANY to tell him I was there (the Taco Bell on Jewell Lake). PHOUUMMANY responded that he would be there shortly. I then activated an audio recording/transmitting device, and an audio/video recording device, that were secreted on my person.

8. Surveillance Agents watched PHOUUMMANY leave his residence and drive to my location. When PHOUUMMANY arrived, he parked near me and I entered his vehicle. PHOUUMMANY handed me a large package of what I observed to be methamphetamine. I paid PHOUUMMANY \$5,000. PHOUUMMANY explained that if I bought two pounds or more, then he could drop the price to \$4500 per pound. PHOUUMMANY mentioned that he was selling methamphetamine to other people at that price, so that's what he wanted to stick to. After the conversation was over I departed the area. I later weighed and field tested the substance I purchased from PHOUUMMANY. The substance weighed 464 grams; I obtained a presumptive positive result for methamphetamine.

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9. On January 18, after previously texting and talking to PHOUUMMANY on the phone, I met PHOUUMMANY in an undercover capacity for the purpose of purchasing two pounds of methamphetamine from PHOUUMMANY. PHOUUMMANY and I met at the Jewel Lake Taco Bell parking lot, and PHOUUMMANY transferred to me two packages. I opened up one and observed that it appeared to be approximately one pound of methamphetamine. PHOUUMMANY assured me that the other package was also one pound of methamphetamine. I then paid PHOUUMMANY \$9, 000. Shortly after that, PHOUUMMANY was taken into custody by ATF Agents who had been on surveillance.

10. After being advised of his miranda warnings, PHOUUMMANY admitted to selling methamphetamine to me and other people, and also admitted there was approximately three more pounds of methamphetamine in his vehicle. The methamphetamine in PHOUUMMANY's vehicle was secured by ATF TFO Allen Adair. My encounter with PHOUUMMANY was video and audio recorded. I later field tested the methamphetamine I purchased from PHOUUMMANY and obtained a presumptive positive result for methamphetamine.

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CONCLUSION

I have probable cause to believe that SOMPHETH PHOUUMMANY has committed the offense described in the complaint. Accordingly, I ask the court to issue a warrant for SOMPHETH PHOUUMMANY's arrest in accordance with Federal Rule of Criminal Procedure 4(a).

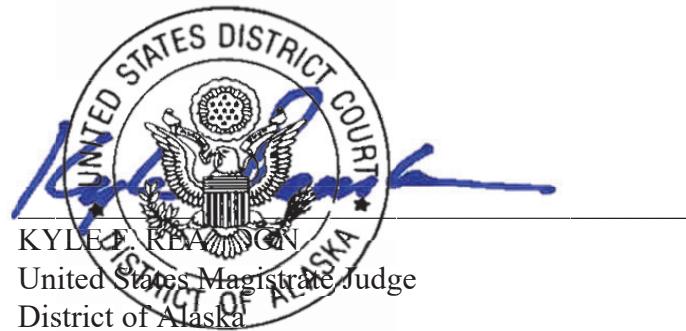
RESPECTFULLY SUBMITTED,

THOMAS KING

Digitally signed by THOMAS
KING
Date: 2022.01.18 21:47:39
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Thomas J. King
Special Agent, Bureau of Alcohol, Tobacco,
Firearms, and Explosives

Telephonically sworn to, and electronically signed. January 19, 2022.



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